

# YOUTH SERVICES POLICY

<b>Title:</b> Crimes Committed on the Grounds of Youth Services Facilities/Office Buildings and/or Properties <b>Next Annual Review Date:</b>	<b>Type:</b> C. Field Operations <b>Sub Type:</b> 1. General <b>Number:</b> C.1.3
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<b>References:</b> La. R.S. 40:1379.1; ACA Standard 3-JTS-3C-09 (Juvenile Training Schools); YS Policy Nos. A.1.4 "Project Zero Tolerance – A Balanced Approach to Reducing Violence", A.2.1 "Employee Manual", and C.5.1 "Activity Reports/Unusual Occurrence Reports"	
<b>STATUS: Approved</b>	
<b>Approved By:</b> <i>Simon Gonsoulin</i> <i>Acting Assistant Secretary</i>	<b>Date of Approval:</b> 08/26/2004

## 1. AUTHORITY:

Acting Assistant Secretary of the Office of Youth Development as delegated on January 27, 2004 by the Secretary of the Louisiana Department of Public Safety and Corrections; Titles 14, 15, and 40 of the Louisiana Revised Statutes; the Louisiana's Children's Code; and La. R.S. 24:523.

## 2. PURPOSE:

To establish policy regarding the investigation, reporting, and prosecution of crimes committed by youth in a secure care facility, employees, and/or visitors on the grounds of secure care facilities, or at any building or on any property under Youth Services (YS) control.

## 3. APPLICABILITY:

All employees of Youth Services. Unit Heads are responsible for ensuring that the investigating and reporting requirements described herein are met.

## 4. DEFINITIONS:

Unit Head - Facility Directors, Probation and Parole Program Director and the Deputy Secretary/Assistant Secretary or designee for YS Central Office.

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YS Central Office - Offices of the Deputy Secretary, Undersecretary of the Office of Management and Finance, Assistant Secretary of the Office of Youth Development and their support staff located on the 2nd and 3rd Floors of Building 6 at 504 Mayflower Street in Baton Rouge.

#### **5. POLICY:**

It is the Deputy Secretary/Assistant Secretary's policy that whenever an act covered by criminal law is allegedly committed, the matter will be investigated immediately by facility/office personnel (with assistance from other law enforcement agencies, where appropriate), and referred to the appropriate District Attorney for consideration of prosecution. In some jurisdictions, the District Attorney has waived review of certain offenses or classes of offenses. The Unit Heads are authorized to handle such matters internally.

#### **6. PROCEDURES:**

- A. A quarterly summary of referrals to the District Attorney should be submitted in accordance with YS Policy No. C.5.1.
- B. The Unit Head and the District Attorney may agree on specific categories of offenses that will not be reportable for consideration of prosecution except that Facility Directors must report those offenses described in YS Policy No. A.1.4 "Project Zero Tolerance – A Balanced Approach to Reducing Violence."
- C. Disciplinary action will be taken against employees involved in criminal activities.
- D. Failure to investigate and/or report acts covered by this policy may be cause for disciplinary action.
- E. Any Unit Head who has knowledge of any misappropriation of public funds or assets of YS shall immediately notify the Deputy Secretary/Assistant Secretary, the Legislative Auditor and the District Attorney of the parish in which the facility/office is domiciled.
- F. YS Policy No. A.1.4 "Project Zero Tolerance – A Balanced Approach to Reducing Violence" should be referred to for specific instructions concerning Project Zero Tolerance investigation reports and evidentiary documents.
- G. In cases with probable cause to believe that a youth 17 years of age or older assigned to a secure care facility has committed a felony-grade offense, YS will seek to have the individual arrested, charged and, if appropriate, transferred to adult jurisdiction within the Department of Public Safety and Corrections.

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The local Sheriff's Office where the facility/office is located may be contacted to effect the arrest or the arrest may be effected by an employee of YS who possesses a law enforcement commission with full arrest powers from either a local law enforcement agency of proper jurisdiction or a Special Officer's Commission issued by the Louisiana State Police, (pursuant to La. R.S. 40:1379.1.)

Following arrest, (and if adult jail pre-trial confinement is appropriate) the Facility Director or his designee should contact the local Sheriff's Office in order to arrange for the transfer. In the event the Sheriff's Office is unable to provide pre-trial housing, the Deputy Secretary/Assistant Secretary should be contacted to effect the assignment of the arrestee to an adult pre-trial facility.

The Facility Directors, in determining the appropriateness of adult jail pre-trial confinement, should consider the diagnosis of any youth who is seriously mentally-ill or developmentally-disabled, or whose medical condition may indicate that such transfer is not appropriate.

**Previous Regulation/Policy Number:** C-01-003  
**Previous Effective Date:** 05/30/2003  
**Attachments/References:**